

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

KARL VAN SCOTT,	)	
	)	
Plaintiff,	)	Case No. 1:09-cv-134-SJM-SPB
	)	
v.	)	
	)	
JOSH CHERISH, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

Plaintiff's civil rights complaint was received by the Clerk of Court on June 10, 2009 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on October 4, 2011 [55], recommends that Defendants Ostrowsky, Buchanon, McKenzie, Sabousky, Ruditis, Lyles, Smith, and Campbell be dismissed from this case due to Plaintiff's failure to prosecute his claims against them. The parties were allowed fourteen (14) days from the date of service in which to file objections. Service was made on Defendants electronically and on Plaintiff by certified mail at his address of record. To date, no objections to the Report and Recommendation have been filed. Accordingly, after de novo review of the complaint and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 25th Day of October, 2011;

IT IS ORDERED that Defendants Ostrowsky, Buchanon, McKenzie, Sabousky, Ruditis, Lyles, Smith, and Campbell shall be, and hereby are, DISMISSED from this case due to Plaintiff's failure to prosecute his claims against them.

The Report and Recommendation of Magistrate Judge Baxter, filed on October 4, 2011 [55], is adopted as the opinion of this Court.

s/ Sean J. McLaughlin

SEAN J. McLAUGHLIN  
United States District Judge

cm: All parties of record

U.S. Magistrate Judge Susan Paradise Baxter